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SENATE BILL 81

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO STATE EXPENDITURES; REQUIRING AGENCIES TO COMPLY WITH BOTH THE LAW LIMITING THE NUMBER OF EMPLOYEES AND THE GOVERNOR'S HIRING FREEZE; PROHIBITING ANY REDUCTION IN A FISCAL YEAR 2009 PROGRAM APPROPRIATION TO ANY AGENCY IN NONCOMPLIANCE; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. TEMPORARY PROVISION--COMPLIANCE WITH LIMITATIONS ON THE NUMBER OF EMPLOYEES--CERTAIN APPROPRIATION REDUCTIONS PROHIBITED.--

A. The number of full-time employees at a state agency that receives general fund appropriations shall not exceed the lesser of:

(1) the number of full-time employees authorized for that agency in the General Appropriation Act of .175577.1

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1 2008; or

2 (2) the number of full-time employees at that
3 agency on November 15, 2008, the effective date of the
4 governor's hiring freeze.

5 B. Except as provided in Subsection C of this
6 section, notwithstanding the provisions of any other law
7 enacted by the first session of the forty-ninth legislature, no
8 reduction in any fiscal year 2009 program appropriation to any
9 agency shall take effect until that agency is in compliance
10 with the requirement of Subsection A of this section.

11 C. The prohibition of Subsection B of this section
12 shall not apply to reductions made by the first session of the
13 forty-ninth legislature in appropriations to the personal
14 services and employee benefits category of a program.

15 D. Fiscal year 2009 appropriation reductions made
16 in other laws enacted by the first session of the forty-ninth
17 legislature shall be adjusted by the state budget division of
18 the department of finance and administration to reflect savings
19 realized by compliance with the provisions of this section.

20 Section 2. EMERGENCY.--It is necessary for the public
21 peace, health and safety that this act take effect immediately.

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.175577.1